

COMPLAINT

(for filers who are prisoners without lawyers)

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

2017 JUL 10 P 2-23

(Full name of plaintiff(s))

JASON M. PARKER

STEPHEN C. DRIES
CLERK

v.

Case Number:

17-C-0936

(to be supplied by Clerk of Court)

(Full name of defendant(s))

C.O. HAMILTON

KENOSHA COUNTY SHERIFF'S BETH

C.O. GAITAN

KENOSHA COUNTY CORRECTIONAL HEALTH SERVICES

A. PARTIES

1. Plaintiff is a citizen of Wisconsin, and is located at
(State)

KENOSHA COUNTY JAIL PRE TRIAL FACILITY 1000 55TH STREET 53140 KENOSHA, WI
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant C.O. HAMILTON, KENOSHA COUNTY SHERIFF BETH, C.O. GAITAN, (KCCHS)
(Name)

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is (if a person or private corporation) a citizen of _____

(State, if known)

and (if a person) resides at _____

(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for KENOSHA COUNTY SHERIFF'S DEPARTMENT 1000 55TH STREET 53140 KENOSHA, WISCONSIN

(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

THE PLAINTIFF JASON PARKER IS AN INMATE AT KENOSHA COUNTY JAIL PRE TRIAL FACILITY IN KENOSHA WISCONSIN.
ON MAY 18, 2017 DEFENDANTS C.O. HAMILTON AND C.O. GAITAN MOVED THE PLAINTIFF TO A CELL THAT HAD
NO WATER AND A LOT OF MILDEW ON THE CEILING. PARKER COMPLAINED. NEXT, THE DEFENDANTS C.O. HAMILTON
AND C.O. GAITAN MOVED THE PLAINTIFF TO A CELL THAT WAS FULL OF URINE ALL ON THE WALLS AND FLOORS
AND ALSO THE HOT WATER DIDN'T WORK. THE DEFENDANTS FIXED THE WATER, BUT DID NOTHING ABOUT
THE URINE. THE PLAINTIFF PRESSED THE BUTTON ON THE WALL AND DIFFERENT OFFICERS WERE BEING
VERY UNPROFESSIONAL ABOUT THE URINE SMELL. DELIBERATELY IGNORING THE PLAINTIFF'S WELL-BEING AND
HEALTH. ONE OFFICER SAID "YOU SHOULD FILL OUT A REQUEST FORM ABOUT IT." DIDN'T KNOW WHICH OFFICER
BUT IT SOUNDED LIKE NICKNAME "COUNTRY" OFFICER VALIAUGA. THE OTHER FEMALE OFFICER SAID "THEY
JUST MOVED YOU, LAY DOWN." PLAINTIFF HEARD OTHERS "CHUCKLING" AND "LAUGHING" IN THE BACKGROUND

Couldn't Tell Who She Was But It Sounded Like C.O. SMITH. THE PLAINTIFF WAS FORCED TO SLEEP UNDER THOSE UNSANITARY CONDITIONS OF THE CELL. BREAKFAST CAME BUT THE PLAINTIFF COULD BARELY OPEN HIS MOUTH, AFRAID HE WOULD THROW UP, LET ALONG EAT. NO ONE TOLD THE PLAINTIFF THAT HE HAD COVET THE NEXT MORNING. THE PLAINTIFF TOLD OFFICERS THE NIGHT BEFORE AND WENT TO MEDICAL THAT MORNING. COMPLAINING ABOUT RASHES, BEING SICK AND DIZZY FROM THE URINE SMELL, THE PLAINTIFF COMPLAINED FOR HOURS BUT OFFICERS AND MEDICAL DELIBERATELY IGNORED HIM. THE PLAINTIFF WAS NOT GIVEN ANY HYGIENE WHATSOEVER, WHICH HE KEPT ASKING FOR. OFFICERS WOKE THE PLAINTIFF UP AND THREW HIM IN THE COURTROOM. THE PLAINTIFF PARKED HAD A FOUL ODOR AND WAS HUMILIATED AND EMARRASSSED. THE PLAINTIFF HAD ORDERED PLENTY HYGIENE ITEMS OFF OF COMMISSARY, BUT OFFICERS DELIBERATELY REFUSED TO GET HIS ITEMS. WHEN OFFICERS BROUGHT THE PLAINTIFF BACK FROM COURT, THEY ALL COMPLAINED ABOUT THE REEKING URINE SMELL AND MOVED THE PLAINTIFF TO ANOTHER CELL (1ST SHIFT). SEVERAL OFFICERS SMELLED IT AND ORDERED INMATE WORKERS TO CLEAN THE ROOM IMMEDIATELY. (VIEW CAMERAS) BUT THEY MADE THE PLAINTIFF SLEEP IN IT THE NIGHT BEFORE. PLAINTIFF COULDN'T EAT OR DRINK FOR 4 DAYS. PLAINTIFF REFUSED TO EAT OR DRINK UNTIL HE SPOKE WITH A CIVIC RIGHTS ATTORNEY. PLAINTIFF SEEKS DAMAGES.

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

WHAT I WOULD LIKE THE COURT TO DO IF I WIN MY LAWSUIT, IS TO AWARD ME MONEY DAMAGES IN THE AMOUNT OF TWO MILLION DOLLARS FOR DELIBERATELY REFUSING TREATMENT. A PRE-TRIAL DETAINEE HAS A CLEARLY ESTABLISHED CONSTITUTIONAL RIGHT TO BE SUPPLIED WITH TOOTHPASTE DURING A LENGTHY JAIL STAY. THE UNSANITARY CONDITIONS OF A CELL CAN MAKE THE PUNISHMENT DISPROPORTIONATE TO THE OFFENSE. WHERE A INMATE IS DEPRIVED OF THE MEANS OF MAINTAINING PERSONAL HYGIENE, SUCH AS SOAP WATER, TOWELS, TOILET PAPER, TOOTHPASTE, OR CLOTHING, THE CONDITIONS BECOME CONSTITUTIONALLY INTOLERABLE. CONDUCT OF COUNTY OFFICIALS ATTENDANT TO THE MEDICAL CARE, DELIBERATE INDIFFERENCES, FOR CRUEL AND UNUSUAL PUNISHMENT, FOR ALL THE PHYSICAL, MENTAL AND EMOTIONAL ABUSE, FOR ALL THE EMBARRASSMENT, FOR ALL THE PAIN I ENDURED, FOR ALL THE SUFFERING, FOR ALL THE RETALIATION AGAINST ME FOR EXERCISING MY 1ST AMENDMENT RIGHT,

E. JURY DEMAND

I want a jury to hear my case.

- YES

- NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 07 day of July 2017.

Respectfully Submitted,

Jason Parker
Signature of Plaintiff

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Plaintiff's Prisoner ID Number

(Currently) KENOSHA COUNTY JAIL PRETRIAL FACILITY 1000 55TH STREET 53140 Kenosha, WI

(HOME) 6411 39TH Ave Kenosha, Wisconsin 53142

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE



I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.



I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.